

116TH CONGRESS  
1ST SESSION

# H. R. 3392

To prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2019

Mr. LAMBORN (for himself, Mr. BIGGS, and Mr. ROONEY of Florida) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION ON FEDERAL FUNDING OF NA-**  
4 **TIONAL PUBLIC RADIO AND RADIO CONTENT**  
5 **ACQUISITION.**

6 (a) IN GENERAL.—No Federal funds may be made  
7 available—

8 (1) to an organization that is incorporated as of  
9 the date of the enactment of this Act for each of the

1 purposes described in subsection (c), or to any suc-  
2 cessor organization;

3 (2) for payment of dues to an organization de-  
4 scribed in paragraph (1); or

5 (3) for the acquisition of radio programs (in-  
6 cluding programs to be distributed or disseminated  
7 over the internet) by or for the use of a radio broad-  
8 cast station that is a public broadcast station (as de-  
9 fined in section 397(6) of the Communications Act  
10 of 1934 (47 U.S.C. 397(6))).

11 (b) RULES OF CONSTRUCTION.—

12 (1) OTHER PURPOSES.—Paragraphs (2) and  
13 (3) of subsection (a) shall not be construed to pro-  
14 hibit the making available of Federal funds to any  
15 entity, including an entity that engages in the pay-  
16 ment described in such paragraph (2) or the acquisi-  
17 tion described in such paragraph (3), for purposes  
18 other than such payment or acquisition.

19 (2) RADIO CONTENT ACQUISITION BY UNITED  
20 STATES AGENCY FOR GLOBAL MEDIA OR DEFENSE  
21 MEDIA ACTIVITY.—Subsection (a)(3) shall not be  
22 construed to apply to the acquisition of radio pro-  
23 grams by the United States Agency for Global  
24 Media or the Defense Media Activity.

1           (c) PURPOSES DESCRIBED.—The purposes described  
2 in this subsection are the following:

3           (1) To propose, plan and develop, to acquire,  
4 purchase and lease, to prepare, produce and record,  
5 and to distribute, license and otherwise make avail-  
6 able radio programs to be broadcast over non-  
7 commercial educational radio broadcast stations,  
8 networks and systems.

9           (2) To engage in research study activities with  
10 respect to noncommercial educational radio pro-  
11 gramming and broadcasting.

12           (3) To lease, purchase, acquire and own, to  
13 order, have, use and contract for, and to otherwise  
14 obtain, arrange for and provide technical equipment  
15 and facilities for the production, recording and dis-  
16 tribution of radio programs for broadcast over non-  
17 commercial educational radio stations, networks and  
18 systems.

19           (4) To establish and maintain one or more serv-  
20 ice or services for the production, duplication, pro-  
21 motion and circulation of radio programs on tape,  
22 cassettes, records or any other means or mechanism  
23 suitable for noncommercial educational transmission  
24 and broadcast thereof.

1           (5) To cooperate and participate with foreign  
2           broadcasting systems and networks in all aspects of  
3           international radio programming and broadcasting.

4           (6) To develop, prepare and publish informa-  
5           tion, data, reports and other materials in support of  
6           or relating to noncommercial educational radio pro-  
7           gramming and broadcasting.

8           (7) To otherwise forward and advance the de-  
9           velopment, production, distribution and use of non-  
10          commercial educational radio programs, materials  
11          and services, and to assist and support noncommer-  
12          cial educational radio broadcasting pursuant to the  
13          Public Broadcasting Act of 1967, as it may from  
14          time to time be amended.

15          (d) FEDERAL FUNDS DEFINED.—

16           (1) IN GENERAL.—In this section, the term  
17          “Federal funds” means, with respect to receipt by a  
18          non-Federal entity from the Federal Government,  
19          the following:

20                   (A) Grants.

21                   (B) Loans.

22                   (C) Property.

23                   (D) Cooperative agreements.

24                   (E) Direct appropriations.

1           (2) GRANTS OR SUBGRANTS FROM NON-FED-  
2           ERAL ENTITY.—Such term also includes grants or  
3           subgrants from Federal funds made available to a  
4           non-Federal entity.

5           (e) CHANGES TO FUNDING FORMULA.—Section  
6           396(k)(3)(A) of the Communications Act of 1934 (47  
7           U.S.C. 396(k)(3)(A)) is amended—

8           (1) in clause (iii), by striking “fiscal year” and  
9           all that follows and inserting “fiscal year, such  
10          amounts shall be available for distribution among  
11          the licensees and permittees of public radio stations  
12          pursuant to paragraph (6)(B).”; and

13          (2) in clause (v)(II), by striking “clause (iii)(II)  
14          and (III)” and inserting “clause (iii)”.

15          (f) CONFORMING AMENDMENTS.—Section 396 of the  
16          Communications Act of 1934 (47 U.S.C. 396) is amend-  
17          ed—

18          (1) in subsection (g)(2)—

19                  (A) in the matter before clause (i) of sub-  
20                  paragraph (B), by inserting “(except for the ac-  
21                  quisition of radio programs)” after “public tele-  
22                  communications services”; and

23                  (B) in subparagraph (C), by inserting  
24                  “(except for the acquisition of radio programs)”  
25                  after “public telecommunications services”;

1 (2) in subsection (k)—

2 (A) in the first sentence of paragraph

3 (3)(B)(i)—

4 (i) by striking “and subparagraph  
5 (A)(iii)(II)”;

6 (ii) by striking “or radio”;

7 (B) in the third sentence of paragraph  
8 (6)(B), by striking “paragraph (3)(A)(iii)(I)”  
9 and inserting “paragraph (3)(A)(iii)”;

10 (C) in paragraph (7)—

11 (i) by striking “(iii)(I)” and inserting  
12 “(iii)”;

13 (ii) by inserting “(except for the ac-  
14 quisition of radio programming)” before  
15 the period at the end; and

16 (3) in subsection (l)(4)—

17 (A) in the matter before clause (i) of sub-  
18 paragraph (B), by striking “(iii)(II)” and in-  
19 serting “(iii)”;

20 (B) in subparagraph (C), by striking “sub-  
21 section (k)(3)(A)(iii)(III)” and inserting “sub-  
22 section (k)(3)(A)(iii)”;

23 (C) in subparagraph (D), by striking “sub-  
24 section (k)(3)(A) (ii)(III) or (iii)(II)” and in-

- 1 serting “subsection (k)(3)(A)(ii)(II) or sub-
- 2 section (k)(3)(A)(iii)”.

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